## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA	)	
Plaintiff,	) 8:09CR279 )	
vs.	) DETENTION ORDER	
ALFREDO PONCE-GONZALEZ,		
Defendant.	<b>;</b>	
A. Order For Detention  After waiving a detention hearing pursua Act on July 31, 2009, the Court orders the to 18 U.S.C. § 3142(e) and (i).	ant to 18 U.S.C. § 3142(f) of the Bail Reform above-named defendant detained pursuant	
conditions will reasonably assure t  X By clear and convincing evidence t		
which was contained in the Pretrial Servi X (1) Nature and circumstances of X (a) The crime: having prefelony and deported for District of Nebraska as without the consent of violation of 8 U.S.C. imprisonment under 8 (b) The offense is a crime (c) The offense involves a (d) The offense involves a (d) The offense involves a (e) The weight of the evidence and (f) The defendant and the defe	the offense charged: reviously been convicted of an aggravated from the United States, being found in the after having re-entered the United States of the Attorney General or his successor in § 1326(a) and subject to twenty years U.S.C. § 1326(b). of violence. In narcotic drug. I large amount of controlled substances, to wite gainst the defendant is high. The softhe defendant including:  Interpretate the defendant will appear. Interpretate the defendant will appear. Interpretate the substantial financial resources. It has no substantial financial resources. It is not a long time resident of the community. Interpretate the defendant: It has a history relating to drug abuse. It has a history relating to alcohol abuse. It has a significant prior criminal record. Interpretate the defendant of the appear at the substantial financial record. Interpretate the defendant of the defendant: It has a history relating to drug abuse. It has a history relating to alcohol abuse. It has a prior record of failure to appear at	

DETERMINENT ORDER	1 450 2
	Probation Parole Release pending trial, sentence, appeal or completion of sentence.
(c)	Other Factors:
( )	X The defendant is an illegal alien and is subject to deportation.
	The defendant is a legal alien and will be subject to deportation if convicted.
	X The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal.

X (4) The nature and seriousness of the danger posed by the defendant's release are as follows: The nature of the defendant's criminal history.

## D. Additional Directives

**DETENTION ORDER - Page 2** 

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

Other:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: August 3, 2009. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge